

AMENDED

Serial No. 50937

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 15 1987

Returned to applicant for correction JUN 29 1987

Corrected application filed MAY 20 1987 Map filed JUL 17 1987

The applicant Harney Rock and Paving Company

Box 800

of Hines

Street and No. or P.O. Box No.

City or Town

Oregon 97738

State and Zip Code No.

hereby make application for permission to change the

point of diversion and place of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit #49139

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree)

1. The source of water is underground

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.0

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for industrial and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for industrial and domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, T.35N., R.56E.,

Describe as being within a 40-acre subdivision of public survey and by course and

M.D.M., from which the NW corner of said section bears N.64°30'W., 2,100 ft.
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T.35N., R.56E.,

If point of diversion is not changed, do not answer.

M.D.M., from which the SE corner of said section bears S.66°02'E., 1,820 ft.

distant.

7. Proposed place of use Portions of SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16 and portions

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

of N $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, all in T.35N., R.56E., M.D.M., Elko County

8. Existing place of use Portions of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T.35N., R.56E., M.D.M.

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) drilled well, cased, with turbine pump and

State manner in which water is to be diverted, i.e. diversion structure, ditches,

motor, with a pipe line to storage tank and distributed to places of use.

pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$30,000.00

13. Estimated time required to construct works two years

14. Estimated time required to complete the application of water to beneficial use..... five years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Estimated annual consumptive use: 110 acre-feet. Water to be used in rock crushing, and concrete and asphalt batch plants.

s/ William A. Nisbet
By..... William A. Nisbet, Agent
421 Court Street
Elko, Nevada 89801

Compared..... pm/CC..... pm/se.....

Protested.....

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 49139 is issued subject to the terms and conditions imposed in said Permit 49139 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0..... cubic feet per second, but not to exceed 14.6 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... January 28, 1988

Proof of completion of work shall be filed before..... February 28, 1988

Application of water to beneficial use shall be made on or before..... January 28, 1990

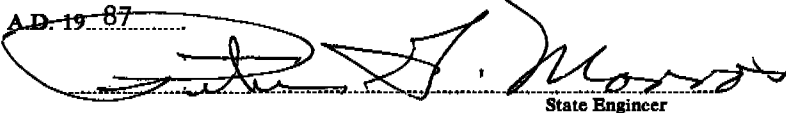
Proof of the application of water to beneficial use shall be filed on or before..... February 28, 1990

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JAN 19 1989..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS
Proof of beneficial use filed..... JUL 8 1991..... State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this..... 19th..... day of..... November.....

Cultural map filed.....

Certificate No..... 13181..... Issued..... DEC 3 1991

A.D. 19 87

State Engineer